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29/1 24/5
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JAN 2007



Application No. 05 724 421.2 - 2413	Ref. P307481EP-pct	Date 24.01.2007
Applicant Electronics for Imaging, Inc.		

Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



Riegler, Jörg
Primary Examiner
for the Examining Division

Enclosure(s): 4 page/s reasons (Form 2906)

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Sheet 1
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The examination is being carried out on the **following application documents**:

Description, Pages

1-25 as published

Claims, Numbers

1-14 filed with entry into the regional phase before the EPO

Drawings, Sheets

1/12-12/12 as published

1 Cited Documents

The following documents (D) are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1: ZHU F ET AL: "Classification of Service Discovery in Pervasive Computing Environments" NONE, 2002, XP002328060

D2: GUTTMAN E ET AL: "Service Location Protocol, Version 2" IETF RFC, June 1999 (1999-06), XP002191158

2 Amendments

The amendment filed upon entry into the regional phase introduces subject-matter which extends beyond the content of the application as filed, contrary to Article 123(2) EPC. The amendment concerned is claim 13 which depends also to claim 1. There exists no basis for the network device according to claim 1 providing identifying information to register the device on the directory server, wherein said information comprises an address of a second network device.



3 Clarity and conciseness

The application does not meet the requirements of Article 84 EPC.

- 3.1 Claim 7 seeks to define the invention by specifying its relation to a second entity (i.e. the first network) which is not part of the claimed entity (i.e. the network device).

The same objection also applies to claims 8-11 and 14.

- 3.2 The expression "the network device is located inside the firewall" used in claims 10 is unclear, because it is not clear how one network device can be located within another network device.

The same objection also applies to the expression "... directory server is located outside the firewall" used in claim 11.

The expressions can only be interpreted as "the network device and the firewall are integrated in one device" (claim 10) and "the directory server and firewall are different devices" (claim 11).

4 Novelty

Furthermore, the above-mentioned lack of clarity notwithstanding, the subject-matter of independent claims 1 and 2 is not new in the sense of Article 54(1) and (2) EPC, and therefore the requirements of Article 52(1) EPC are not met.

- 4.1 The document **D1** discloses (the references in parentheses applying to this document):

A network device coupled to a first network and to a directory server (cf. "heterogeneous and ubiquitous computing devices and services", abstract) the network device comprising:

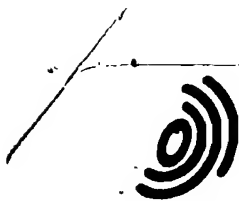
- information identifying the network device on the first network ("A service has a name, a list of attributes and user privileges", bottom of p. 2, From the Service's Point of View); and
- a registration processor adapted to provide the identifying information to register the network device on the directory server (cf. "A service announces

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its information to clients or directories.", bottom of p. 2, , From the Service's Point of View; and "128-bit numbers" or "service template", bottom of p. 3, Service Naming).

The features of the network device being coupled to a first network and comprising a processor are considered to be implicitly disclosed in D1 as cited above, as the service device is adapted to announce its information via a network and any computing device can be considered to include a processor for performing registration.

- 4.2 Claim 2 corresponds to the features of claim 1 in terms of a network device querying the directory server. D1 discloses all the features of claim 14 (cf. abstract; middle of p. 2, From the Client's Point of View; and top of p. 3, From the Directory's Point of view).
Again the features the device comprising information identifying itself and a processor is considered to be implicitly disclosed, because the directory authenticates the device (cf. top of p. 3, From the Directory's Point of view) and any computing device can be considered to include a processor for performing information queries.
- 4.3 For the sake of completeness it is also pointed out, that the subject matter of independent claims 1 and 2 is also not new over the disclosure of document D2 (cf. p. 5-6; 9; chapter 8, p.17-26).
- 4.4 Moreover, it should be noted that even if novelty of claim 1 or 2 could be argued, based on minor differences between the features of this claim and those disclosed in D1 or D2 (e.g. the features stated to be implicitly disclosed acc. to items 2.1 and 2.2), the subject-matter of claim 1 would not involve an inventive step, because including those features to the device disclosed in D1 or D2 is considered a common measure of the skilled person in the art, Articles 52(1) and 56 EPC, having regard to the disclosure of D1 or D2.
- 4.5 The additional features of the dependent claims do not add anything new or inventive to the independent claims, because these features are known from the above mentioned prior art (i.e. the network device comprising PDA, printer, etc, comprising a network interface, the network (i.e. Internet) consisting of multiple interconnected networks, identifying information is an address) or common

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measures (i.e. network comprising a firewall).

5 Formal objections and remarks

If the applicant intends to proceed further with the present application and is of the opinion that the application does in fact contain subject-matter that could support a patentable claim, then a new independent claim should be filed, setting out what is considered to be the inventive contribution to the art.

- 5.1 In his letter of reply the applicant should clearly indicate the parts of the originally filed application serving as a basis for subject-matter newly introduced into the claims. This would greatly facilitate the subsequent substantive examination of the claims with respect to Article 123 (2) EPC.
- 5.2 Any new independent claim should be in the two-part form recommended by Rule 29 (1) EPC having a pre-characterising portion which correctly reflects the prior art of the cited documents D1 and D2.
- 5.3 All claims should include reference signs relating to the technical features referred to therein, Rule 29 (7) EPC.
- 5.4 The opening part of the description should be modified to bring it into agreement with any amended independent claims, Rule 27 (1) (c) EPC.
- 5.5 In order to meet the requirements of Rule 27 (1) (b) EPC, the cited documents D1 and D2 should be acknowledged and briefly discussed in the opening part of the description.
- 5.6 The vague and imprecise statement "various modifications can be made ... without departing from the scope and spirit of this invention" in the description on page 25 implies that the subject-matter for which protection is sought may be different to that defined by the claims, thereby resulting in lack of clarity of the claims (Article 84 EPC and Guidelines C-III 4.3a) when used to interpret them.